



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,337	01/26/2001	Chad Magendanz	150899.01	6309
22971	7590	10/19/2007		
MICROSOFT CORPORATION ONE MICROSOFT WAY REDMOND, WA 98052-6399			EXAMINER KE, PENG	
			ART UNIT 2174	PAPER NUMBER
			NOTIFICATION DATE 10/19/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

roks@microsoft.com
ntovar@microsoft.com
a-rydore@microsoft.com

Office Action Summary

Application No.

09/770,337

Applicant(s)

MAGENDANZ ET AL.

Examiner

Peng Ke

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is responsive to communications: Amendment, filed on 8/3/7.

Claims 1- 27 are pending in this application. Claims 1, 14, and 27 are independent claims. In amendment filed on 8/3/7, claims 1, 2, 14, 15, 21, and 27 were amended.

Claim Rejections – 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kotick et al., U.S. Patent No. 6,559,867 in view of Buxton et al., U.S. Patent No. 6,469,714 furthermore in view of Govindarajan US Patent 6,208,659.

As per claim 1, Kotick et al. (hereinafter referred to as Kotick) teach a method for providing a selection of properties for an electronic document associated with an application program comprising the steps:

determining a status of a property for the electronic document (see Kotick, column 5, lines 15-30)

based upon the status of the property, creating a customized palette for the user interface so that the palette comprises a control for an available property (see Kotick, column 5, lines 15-30); and

displaying the palette in conjunction with the electronic document on the user interface such that said palette and active associated content of the palette does not obscure viewing of said electronic document (see figure-2, items 51-53, figure-3, 71-81; column 5, lines 15-30).

However, Kotick fails to teach determining a context for the electronic document, and customizing palette based upon the context of the electronic document;

Buxton teaches determining a context for the electronic document and customizing palette based upon the context of the electronic document (see Buxton, column 2, lines 61 – 67)

It would have been obvious to an artisan at the time of the invention to include Buxton's teaching with method of Kotick in order to provide users with a system that adapts to their needs.

However, they fail to teach excludes controls for unavailable properties for the electronic documents.

Govindarajan teaches removing icon from the interface when it becomes inactive. (see Govindarajan column 14, lines 8-16)

It would have been obvious to an artisan at the time of the invention to include Buxton's teaching with method of Kotick in order to reduce user confusion. .

As per claim 2, which is dependent on claim 1; Kotick, Buxton, and Govindarajan teach the method of claim 1 (see rejection above). Buxton further teaches determining

Art Unit: 2174

a change in the status of the property or the context of the electronic document (see Buxton, column 8, lines 20 – 25);

based upon the change of the property or the change in the property or the change in the context of the electronic document,

modifying the palette to reflect the change in the property or the change in the context of the electronic document, wherein the modified palette includes a control only for an available property for the electronic document and excludes controls for unavailable properties for the electronic document; (see Buxton, column 8, lines 20 – 25); and

replacing the palette with the modified palette so that the modified palette is displayed in conjunction with the electronic document on the user interface, wherein the displayed modified palette excludes displayed controls for the unavailable properties for the electronic document. (see Buxton, figure 3A, items 300 and 320 and column 8, lines 20 – 25).

As per claim 3, which is dependent on claim 1, Kotick and Buxton teach the method of claim 1 (see rejection above). Buxton further teaches sizing the palette so that the palette and the electronic document can be simultaneously viewed (see Buxton, figure 3A, items 300 and 320 and column 9, lines 55 – 67).

As per claim 4, which is dependent on claim 2, Kotick and Buxton teach the method of claim 1 (see rejection above). Buxton further teaches sizing the modified

Art Unit: 2174

palette so that the palette and the electronic document can be simultaneously viewed (see Buxton, figure 3A, items 300 and 320 and column 9, lines 55 – 67).

As per claim 5, which is dependent on claim 1, Kotick and Buxton teach the method of claim 1 (see rejection above). Buxton further teaches coordinating the palette with a predefined interface so that the palette and the predefined interface provide consistent control features (see Buxton figure 2, figure 3A, items 300 and 320 and column 6, lines 43 – 58); and

displaying the predefined interface in conjunction with the palette and the electronic document (see Buxton figure 3A, items 300 and 320).

As per claim 6, which is dependent on claim 2, Kotick and Buxton teach the method of claim 2 (see rejection above). Buxton further teaches coordinating the modified palette with a predefined interface so that the palette and the predefined interface provide consistent control features (see Buxton figure 2, figure 3A, items 300 and 320 and column 6, lines 43 – 58); and

displaying the predefined interface in conjunction with the modified palette and the electronic document (see Buxton figure 2, figure 3A, items 300 and 320 and column 6, lines 43 – 58).

As per claim 7, which is dependent on claim 1, Kotick and Buxton teach the method of claim 1 (see rejection above). Buxton further teaches that the context of the

Art Unit: 2174

electronic document consists of at least one of the following: textual content, formatting content, or graphical content (see Buxton, column 8, lines 30 – 36).

As per claim 8, which is dependent on claim 1, Kotick and Buxton teach the method of claim 1 (see rejection above). Buxton further teaches that the property consists of one of the following: a formatting command, an application program command, or an electronic document characteristic (see Buxton, column 7, lines 29 – 44).

As per claim 9, which is dependent on claim 1, Kotick and Buxton teach the method of claim 1 (see rejection above). Buxton further teaches that the user interface comprises a graphical user interface for an application program (see Buxton, column 7, lines 1 – 7).

As per claim 10, which is dependent on claim 1, Kotick and Buxton teach the method of claim 1 (see rejection above). Buxton further teaches wherein the user interface comprises a floating palette (see Buxton, column 7, lines 17 – 20).

As per claim 11, which is dependent on claim 1, Kotick and Buxton teach the method of claim 1 (see rejection above). Buxton further teaches wherein the user interface comprises a property browser palette window (see Buxton, column 2, lines 47 – 53).

As per claim 12, which is dependent on claim 5, Kotick and Buxton teach the method of claim 5 (see rejection above). Buxton further teaches wherein the predefined interface comprises a toolbar (see Buxton, column 7, lines 1 – 7).

As per claim 13, which is dependent on claim 6, Kotick and Buxton teach the method of claim 6 (see rejection above). Buxton further teaches wherein the predefined interface comprises a toolbar (see Buxton, column 7, lines 1 – 7).

As per claim 14, Kotick teaches a computer system for providing a selection for formatting properties for an electronic document associated with an application program having a user interface comprising:

A memory for storing a property browser program module; (column 1, lines 50-65; It is inherent that a program module in a workstation uses the system's memory for storing properties) and

A processing unit functionally coupled to the memory for executing computer executable instruction operable for: (column 1, lines 50-65; It is inherent that a program module in a workstation uses the processing unit for executing computer instruction)

Determining formatting properties for an electronic document associated with the application program, wherein a formatting property has an associated control; (see Kotick, column 5, lines 15-30)

Creating a customized palette based on upon the formatting properties and the context of the electronic document, wherein the customized palette includes controls

Art Unit: 2174

only for formatting properties that are available to a user; (see Kotick column 2, lines 61-67 and column 8, lines 30-35) and

Sending the palette to a user interface associated with the application program for display adjacent to a viewing content area occupied by the electronic document, such that the palette and an activated associated content of the palette do not obscure any portion of the viewing content area occupied by the electronic document regardless of whether the electronic document occupies all portions of the viewing content (figure 3A, items 300 and 320)

However, Kotick fails to teach determining a context for the electronic document and customize palette based upon the context of the electronic document;

Buxton teaches determining a context for the electronic document and customize palette based upon the context of the electronic document; (see Buxton, column 7, lines 59-64)

It would have been obvious to an artisan at the time of the invention to include Buxton's teaching with method of Kotick in order to provide users with a system that adapts to their needs.

However, they fail to teach excludes controls for unavailable properties for the electronic documents.

Govindarajan teaches removing icon from the interface when it becomes inactive. (see Govindarajan column 14, lines 8-16)

It would have been obvious to an artisan at the time of the invention to include Buxton's teaching with method of Kotick in order to reduce user confusion. .

As per claim 15, which is dependent on claim 1, Kotick, Buxton, and Govindarjan teach the method of claim 14 (see rejection above).

Buxton further teaches determining a change in the status of a formatting property or the context of the electronic document (see Buxton, column 8, lines 20 – 25);

based upon the change of the formatting property or the context of the electronic document,

modifying the palette to reflect the change in the property or the change in the formatting context of the electronic document, wherein the modified palette includes control only for formatting properties that are available to a user and excludes controls for formatting properties that are not available to a user (see Buxton, column 8, lines 20 – 25); and

replacing the palette with the modified palette so that the modified palette is displayed in conjunction with the electronic document on the user interface, (see Buxton, figure 3A, items 300 and 320 and column 8, lines 20 – 25) wherein the displayed modified palette excludes displayed controls for the unavailable formatting properties for the electronic document. (see Govindarjan column 14, lines 8-16)

As per claim 16, which is dependent on claim 14, Kotick and Buxton teach the method of claim 14 (see rejection above). Buxton further teaches sizing the palette so

Art Unit: 2174

that the palette and the electronic document can be simultaneously viewed (see Buxton, figure 3A, items 300 and 320 and column 9, lines 55 – 67).

As per claim 17, which is dependent on claim 15, Kotick and Buxton teach the method of claim 15 (see rejection above).

Buxton further teaches sizing the modified palette so that the palette and the electronic document can be simultaneously viewed (see Buxton, figure 3A, items 300 and 320 and column 9, lines 55 – 67).

As per claim 18, which is dependent on claim 14, Kotick and Buxton teach the method of claim 14 (see rejection above).

Buxton further teaches coordinating the palette with a predefined interface so that the palette and the predefined interface provide consistent control features (see Buxton figure 2, figure 3A, items 300 and 320 and column 6, lines 43 – 58); and displaying the predefined interface in conjunction with the palette and the electronic document (see Buxton figure 3A, items 300 and 320).

As per claim 19, which is dependent on claim 15, Kotick and Buxton teach the method of claim 15 (see rejection above).

Buxton further teaches coordinating the modified palette with a predefined interface so that the palette and the predefined interface provide consistent control

Art Unit: 2174

features (see Buxton figure 2, figure 3A, items 300 and 320 and column 6, lines 43 – 58); and

displaying the predefined interface in conjunction with the modified palette and the electronic document (see Buxton figure 2, figure 3A, items 300 and 320 and column 6, lines 43 – 58).

As per claim 20, which is dependent on claim 14, Kotick and Buxton teach the method of claim 14 (see rejection above).

Buxton further teaches that the context of the electronic document consists of at least one of the following:

textual content, formatting content, or graphical content (see Buxton, column 8, lines 30 – 36).

As per claim 21, which is dependent on claim 14, Kotick and Buxton teach the method of claim 14 (see rejection above).

Buxton further teaches that the property consists of one of the following: a formatting command, an application program command, or an electronic document characteristic (see Buxton, column 7, lines 29 – 44).

As per claim 22, which is dependent on claim 18, Kotick and Buxton teach the method of claim 18 (see rejection above).

Buxton further teaches that the user interface comprises a graphical user interface for an application program (see Buxton, column 7, lines 1 – 7).

As per claim 23, which is dependent on claim 18, Kotick and Buxton teach the method of claim 18 (see rejection above).

Buxton further teaches wherein the user interface comprises a floating palette (see Buxton, column 7, lines 17 – 20).

As per claim 24, which is dependent on claim 18, Kotick and Buxton teach the method of claim 18 (see rejection above).

Buxton further teaches wherein the user interface comprises a property browser palette window (see Buxton, column 2, lines 47 – 53).

As per claim 25, which is dependent on claim 18, Kotick and Buxton teach the method of claim 5 (see rejection above).

Buxton further teaches wherein the predefined interface comprises a toolbar (see Buxton, column 7, lines 1 – 7).

As per claim 26, which is dependent on claim 19, Kotick and Buxton teach the method of claim 6 (see rejection above).

Buxton further teaches wherein the predefined interface comprises a toolbar (see Buxton, column 7, lines 1 – 7).

Art Unit: 2174

As per claim 27, it is of similar scope to the combination of claims 14, 15, 17, 18 and 22 and is rejected under the same rationale as claims 14, 15, 17, 18 and 22 (see rejections above).

Response to Argument

Applicant's arguments with respect to claims filed in 8/3/07 have been considered but are deemed to be moot in view of the new grounds of rejection.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (571) 272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Peng Ke

/Steven P. Sax/
Steven P. Sax